

G. R. S. App. F. IX-4]

1942 - 43.

File No. 255-42

Previous References.

Sr A 515-39 (1-2)
Court 5-38 (49, 54, 55)
SRA 338-35 (4-5)

(SRA)

Serial Nos. 1-2

Later References.

S-38. Edu 2-23 (8-13)
22-38. Edu 5-22 (24, 28)
44) Court 42-39 (1-4)
10-38 Edu 47-25 (5, 42)
B 209-42-1

Pres

PRESERVED

GENERAL AND REVENUE SECRETARIAT

246-21 (5)

Sr A - 180-47-1-2

PD 118 PEN 37

Serial Nos. 1-2

Part B for

January 23

SUBJECT.

Representation of Mr A. P.
Govinda Rajuloo Mudaliar
Retired Munsiff, for enhance-
ment

21 3642-43 D 23. 12-42

17 - Comptroller
of
Reps High
Court

Sanction, the payment

Serial
No.

Representation submitted to the Minister
for Law by Mr A.S. Gollindarajulu
Mudaliar, Retired Munsiff;

Law Minister's Minute Thereon

"Chief Secretary for a note through Finance
Secretary"

(Gnd). A.V.R.
10/9

(Gnd) M.G.H.
11/9

E
Mr Gollindarajulu Mudaliar has been granted
a Compassionate pension of Rs 112-6-0 p.m.
in consideration of a Qualifying Service
of 15 years 2 months and 25 days.

He now prays that the Shortage in Service
may be Condoned and that the Qualifying
Service may be fixed at 18 years and
that his pension may be fixed at
Rs 142-8-0 per month giving him the
benefit of his full Service of 16 years and 7
days in the Judicial department and
of Counting 3 years in addition contemp
under Article 262 M.S.R.

Serial
No.

The following references are put up:-

(1) Edn 5-22-24+28 appointing Mr Govinda Rajulu Mudaliar as an Asst professor of Philosophy from 12-8-1922

(2) Edn 2-23-13. Continuing the services of the Officer in the University. ~~Issued~~

(3) Edn 47-25-42 declining to treat the services put in by him in the University as Counting for pension.

(4) A Copy of G.O.S. 6-6-1939 directing his Retirement from service

(5) S+A 515-39-142 sanctioning a Compassionate pension of Rs ~~112~~-112-6-0 p.m. from 5-11-1939

(6) Cts 42-39-1-4 embodying the Representation of Mr Govindarajulu Mudaliar for the benefit of Section 262 M.S.R or for an arbitrary pension at Rs 150/- p.m.
Kind reference is invited to the

1580

Representation of ¹²¹⁴ Mr. A.S. Govindarajulu
Mudaliar, Retired Munsiff.General and Revenue
Secretariat

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of 194

[App. F. III-2]

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No.

Jes F.

discussions in paras 27 to 32 of the notes
in Comrs Collection No 42-39-1-4 placed below.

Submitted

all the points are urged

Cm
19/9

3 as forwarded and has

decided

was considered on previous

occasion. Please see May 7. 30

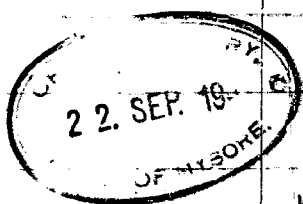
M
20/9

nor see any new points urged {

has been taken)

3

21/9/42

His request is for
reconsideration and an
appeal for granting
higher pension.The Chief Secretary
has been asked to
put up a noteCm
27-9-42Chief Secy
W.J.C.3
21/9/42

Serial
No.

Mr. A. S. Govindarajulu, Mudaliar,
Munsiff (Retd) represents that following :-

- (a) That his total service of 17 years
2 months and 23 days, may be
rounded up to 18 years condoning
the shortage and without deducting the
excess furlough taken by him
and ^{that} a pension of Rs 134-8-0 may
be sanctioned to him

or

- (b) That his pension may be fixed
at Rs 142-8-0 giving him the full
benefit without any reduction for
excess furlough taken, if the service
of 16 years + 4 days put in by him
in the Judicial Department and
of the Art. 262 of the M.S.R.

Re : (a)

Mr. Govindarajulu Mudaliar entered
service on the 12th August 1922 and the date
of his retirement from service was the 5th
November 1939. The total period of ~~his~~ service
put in by him comes to 17 years, 2 months and
23 days. This period includes the period of
1 year 2 months and 13 days, during which

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No.

he held the post of Asst. Professor of Philosophy temporarily. He was subsequently appointed as a Spl. Magistrate, 3rd Grade. He was relieved in the University on the forenoon of the 26th October 1923 and he took charge of the new ~~for~~ appointment on 1st November 1923.

"A"

In June 1925 he submitted a memorial praying that the period he served in the University might be treated as service counting for pension. But his

"B"

request was not granted (vide letter No. E 1654/Edu 47-25-42 dated 8th October 1925). In view of this he cannot count this period for pension. Again from 26th October to 30th ~~October~~ October 1923, he held no appointment. This period also cannot be treated as pensionable service.

He is also stated to have taken furlough for 1 year 9 months and 9 days, and this period does not count as service under Art. 259 of the M.S.R. But the time passed on leave with allowances upto a period of 1 year counts as service if the total service of the officer is not less than 15 years. The remaining period of

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Secretariat.

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his service that counts for pension, after deducting the periods referred to overleaf, comes to 15 years 2 months 25 days. and a pension of Rs. 112-6-0 has been sanctioned to him.

As the orders have already been passed turning down his request to count the service put in by him in the University, for pension and as the period of his absence on furlough in excess of one year, does not count for pension, his request cannot perhaps be complied with. This is for orders.

Re (b)

The provisions of Art. 262 of the M.S.R. which gives the benefit of counting as service qualifying for pension the number of completed years by which his age at the time of his appointment has exceeded 25 years, subject to maximum of 5 or 3 years, is applicable only to a member of Bar directly recruited to the Judicial Department. Mr. Govindarajulu Mudaliar at the time of his appointment in the Judicial Department held ^a post in the University. Consequently the Art. referred to above does not apply to him. and his request is therefore inadmissible.

" C "

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The net qualifying service put in by Mr. Govindarajulu Mudaliar, as verified by the Audit office is 15 years 2 months and 25 days. Under Art 315 of the M.S.R. fractions of a year are not taken into account in calculating any pension admissible to an officer. In view of this the pension admissible for 15 years of service has been sanctioned to him and the ~~pension~~ remaining 2 months and 25 days have not been taken into account.

Under Art. 272 of the M.S.R. Govt. may condone a deficiency not exceeding 12 months. The deficiency required in the present case is 9 months and 5 days and it is admissible. In the event of the benefit of this article is extended to him, ^{his} ~~the~~ qualifying service comes to 16 years and a pension ^{about} of Rs. 119-14-0 may be sanctioned to him. It is for orders whether the benefit of Art 272 may be given to him.

The circumstances leading to his retirement from service are explained in and "E"

G.O. NO. 3850-51/ CB. 210-38-2 dated 6th June 1939. It was due to unsatisfactory work.

"F"

He was ^{also} granted combined leave of absence

Representation of Mr A.S. Govindaraju Mudaliar, Member (Rep)

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4 months and 25 days, from 11th June 1939,
the date of his handing over charge of
his office and retired from service at the
end of his leave. He has still about 7 years of service
(Recently Mr C. Ramakrishna Rao, Surgeon,
who was retired from service for unsatis-
factory work as Superintendent, Medical Stores,
was given an ^{arbitrary} ~~arbitrary~~ pension. The cases
of certain officers who were given arbitrary
pension in the past, are specified in
para 10 of the notes in S.A. file No.
338-35 (4+5) put up.

"G"

"V"

The point for consideration is whether
any arbitrary pension may be granted to
Mr. Govindaraju Mudaliar, as in the case
of Mr. Ramakrishna Rao, ^{Rank} ~~this request~~ in his behalf
was ~~once refused~~ ^{not} complies with.
Submitted with reference to Law
Minister's order on the P. U.D.

"H"

Mr. Govindaraju Mudaliar's
request for counting the temporary
service of 1 year, 4 months and
13 days is inadmissible under
the rules. His other request for
counting for pension a period
of 1 month & 9 days spent on
furlough is also inadmissible.

SRP
26.9.42

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No.

OCT 7 1942

No 3055

1214.
CS

He has been granted a pension of Rs. 112-6-0 for a qualifying service of 15 yrs, 2 months and 15 days. The only consideration admissible under the rules is the condonation of a deficiency of 9 months & 5 days to make up 16 years of service for which a pension of about Rs. 119-14-0. This is for orders.

299

The reports are inadmissible under the rules. Either the shortage of 9 months & 5 days to make up a service of 16 years may be condoned to give him a slight enhanced pension, which is not very much as he may be granted an arbitrary enhanced pension of Rs 125 as a special case as in the case of others in the past 1/10

Law Dr
Hingh J. S. A. S.

5-10-42
JUL 6 1942

He has on the one side been denied the ~~period~~ ^{period} he served in the University & on the other denied the addition of 3 years to his total service under Art 262 in S.R. on the ground that he was not recruited direct from the Bar, but held an app't in the University. And the period

1214

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of 5 days between relief in the University &
Jounipp in the first Dept. This is well within
framing time ordinarily allowed.

All things considered &
in the light of other cases of arbitrary pension,
I consider that he may be given
an arbitrary pension of Rs 142-8-0 p m

(Dewar)

By
7/10

May be considered at a
meeting of the Council

Recd
8/10/42

By
8/10

Circulated

By
9/10

Submitted into a
circulation memo

By
19/10/42

Signed
By
10/10

For Disposal at a meeting.

No. C. 389 2

1942-1943

GENERAL AND REVENUE SECRETARIAT

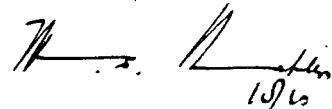
Council Matter.

Subject

Representation of Mr. A. S. Govindarajalu^{Retired} Retired
Munsiff, for enhanced pension.

Circulated to the Council of Ministers.

By Order,



Chief Secretary to Government.

10th October 1942

3331
13.X.42 Minister for Finance and Revenue.

17.10.42
(Seen)

Minister for Law.

1894
14.10.42 Minister for Education.

14.10.42

3057
15/10 Minister for Local Self-Government
and Public Health.

19.10.42

CB

Confidential. c 389

Extract from the Proceedings of the Twenty-fifth Meeting of the
Mysore
Council of Ministers held at Bangalore on 21st October 1942

SUBJECT:-

Representation of Mr. A. S. Govindarajalu Mudaliar,
Retired Munsiff, for enhanced pension.

OPINION OF THE COUNCIL.

Mr. A. S. Govindarajalu may be given an arbitrary
pension of Rs. 142/8 per mensem.

(Sd) N. MADHAVA RAU.

Dewan of Mysore.

Law Secretary
with compliments.

25/10/42
26-1

Law Secy
27-10

26/10/42

"EXTRACT"

Chief Secretary to Government.

27/10/42

31/10/42

Pension of Mr 'A.S.' Govindarajulu
Mudaliar

3819

General and Revenue
Secretariat

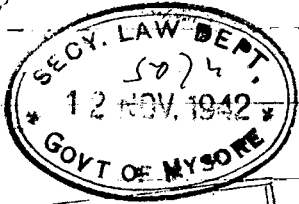
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Submitted With a D.F.N



CAm
14/11

Law Secretary

3
14/11

3

D.F.N. Submitted

12-11-42

Munster, Law

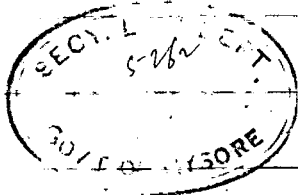
3
13/11/42

13/11

16-11-42

3
16/11/42

Submitted With a D.S.N.



CAm
16/11

Law Secretary

3
16/11/42

3

S.N. Submitted

16-11-42

Dewan

3
16/11/42

Final Note by the Minister for Law

Subject.— Pension to Mr.A.S.Govindarajulu Mudaliar, Retired Munsiff

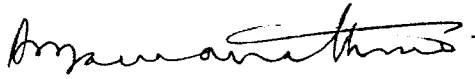
Mr.A.S.Govindarajulu Mudaliar, Retired Munsiff, who was compulsorily retired was granted a compassionate pension of Rs.112-6-0 per mensem from 5th November 1939 in consideration of a qualifying service of 15 years, 2 months and 25 days rendered by him. The period of temporary service put in by him as Assistant Professor of Philosophy in the Maharaja's College, Mysore, was not, however, taken into consideration for purposes of calculating the pension, as the tenure of his appointment in the University was temporary.

He made several representations to Government in the past for reconsideration of these orders. They were rejected. In his latest representation he prayed for the calculation of his pension including the service in the University or allowing him the benefit of Article 262 of the Mysore Service Regulations. That Article allows a member of the bar directly recruited as a Munsiff to count as service qualifying for superannuation pension, a maximum period of three years.

The subject was discussed at a meeting of the Council of Ministers held on 21st October 1942 and it was resolved that Mr.Govindarajulu Mudaliar might be given an arbitrary pension of Rs.142-8-0 per mensem.

I solicit the gracious sanction of His Highness to the above resolution of the Council and to fix his pension at Rs.142-8-0 per mensem instead of Rs.112-6-0 as from the date of retirement.

Camp, Arsikere,
14th November, 1942. .

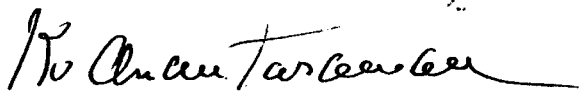

MINISTER FOR LAW

15

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law on the subject of the proposal to grant an arbitrary pension of Rs 142-8-0 per mensem to Mr. A.S. Govindarajulu Mudaliar, Retired Munsiff, for His Highness's gracious sanction.

Bangalore,
17th November 1942.


MINISTER, FINANCE & REVENUE,
in charge of the current duties of the Dewan.

Record of Cases submitted for the Orders of
His Highness the Maharaja.



Subject.

Proposal to grant an arbitrary pension
of Rs 142-8-0 per mensem to Mr. A.S. Govinda-
rajulu Mudaliar, Retired Munsiff.

Order.


22/11/42

Chief Secy,

1/2/42

Mr
29/1/42

1583
2384

SUBJECT:—

Proposal to grant an arbitrary pension of Rs.142-8-0 per mensem to Mr. A.S.Govindarajulu Mudaliar, Retired Munsiff.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (Vide Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

M. S. L. K. 27/11
Chief Secretary to Government.

Through the Secretary to Government,

.....L...a...w.....Department.

25-11-42

4343
28-11-42

Minister for Finance and Revenue

28-11-42

4601
25-11

Minister for Law.

25/11

2551
26-11

Minister for Education.

27-11

4218
28/11/42

Minister for Local Self-Govt. and Public Health.

1.12.42

Law Sec ~~27/11~~

2-12-42

27/11

Pension, to Mr A. S. Govindarajulu Mudaliar
1580 $\sqrt{357}$ Retd Munsiff

General and Revenue
Secretariat

File No.

of 194

(18)

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It is for orders as to whether the file may now be transferred to the Financial Branch for further action. orders to be issued on this occasion will be in modification of the G.O. of 5-4-1940 issued from the Financial Sectt.

The representation since received from Mr A. S. Govindarajulu Mudaliar praying that the enhanced pension payable to him may take effect from 5-11-1939 is also put up for consideration.

Please put up Mr Ananda Rao's
plea mentioned in the P.O.D.

3
2/12/41

The case of Mr Ananda Rao was dealt with in C.B. and Financial Branch.

It appeared, this may be transferred to Financial Sectt for issue of orders after considering the precedent on the question.

Cm
1/12

m.

Need instructions to put up the file

Cm
7/12

Pension of Mr A.S. Govindarajiah
Mudaliar

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of 194

General and Revenue
Secretariat.

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References in SFA Section from 1936 to 1942
were looked into but the file could
not be traced.

If approved, the file may be sent
to C.B. for kindly putting up the file
relating to the grant of enhanced pension
to Mr A. Annamalai.

Ch
10/12/42

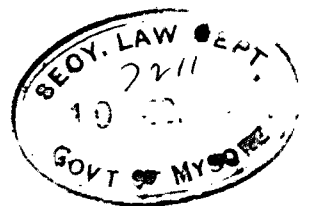
As the file could not be found -
I have to proceed ~~to~~ in fact begin
me.

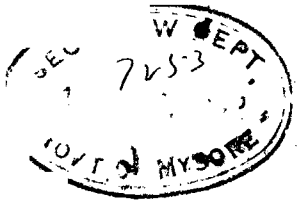
If what was forwarded the election
say about the Meenakshi Case is true,
then the enhanced pension may be
given effect to from the date of his
retirement / as in the case of Meenakshi.
The Financial Secretary may be consulted.

Law Secretary) $\frac{3}{10/12/42}$

Pension has been granted
at Rs 142-8-0 from the date
of retirement viz 2.7.37.
Notice will issue accordingly.

Acc
10-12-42
Jm over
 $\frac{3}{11/12/42}$





11/11/53

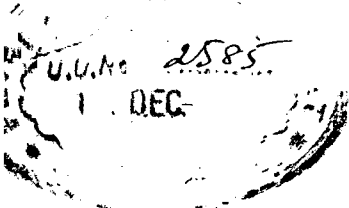
Impressed by *[Signature]*
Kashtan (y) 3
14/14/42 17

For plural

Cur
12-12-42

Fin Secy
W.C.

3
14/14/42



I believe the order has to issue from the Fl Branch as a case of arbitrary pension. I have to draw the attention of the adm. Secy to the fact that the case should have been dealt with in the Financial Branch particularly when the order was to give retrospective effect to pension when this matter was not in the Council resolution.

14.12.42

issued by
May be dealt with later

my point has not been seen by the Law Secretary. The case should have been dealt with in the Fl Branch after Council decision by the JCS. The Secy to the Law Secy.

The Fin Branch. It was sent to the before this.

Cur
15-12-42

Fin Secy
W.C.

ATS & an
Please ~~write~~ ^{reply} through

signature
16/12/42

~~copy~~ Draft put up

96
17/12

copy

JCS
17/12

JCS

Issue + resubmit file

AD

17.12.42
JCS
18/12

The Comptroller
The Registrar, High Court

No Fl 3662-43 dated 23-12-42.

Sanctions the payment of an arbitrary pension

of R. 11.2 s. p. no 10110/4
11.1.1939. 11.1.1939. 11.1.1939.
5. 11. 1939.

11/1/43. 11.1.1939. 11.1.1939. 11.1.1939.
Re-submitted for orders. (Vide JH Secy's
order. dated 18.12.42

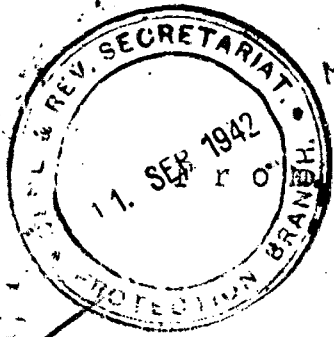
6/12
29.12

JH Secy) 1/1/43

No further action is called for in the
present file at the present stage

2.1.43
JH Secy

B
2.1.43



1580
P
54A, Seshadripuram
New Extension, Malleswaram,
Bangalore,

A. S. Govindarajulu, M.A. B.L.,

10-9-1942.

Retired Munsiff,

To

The Minister for Law,

Government of Mysore, Bangalore.

*Chief for a note
this subject
copy*

Dear Sir,

I beg to submit as follows : - -

On 12-8-1922, I was appointed Assistant Professor,
Maharaja's College, Mysore (temporary).

Copy 1-11-1933
On 1-4-1933 I was appointed a Magistrate (Permanent)
On 5-11-1939, I was retired.

I had taken furlough leave for 1 year, 9 months and
9 days or 9 months and 9 days furlough in excess. There was no
break in my service. I was never on leave without allowance.

At present only 15 years count for my pension. I
get Rs 112-6-0. The rate works at Rs 7.4916 per year of service.

My total service is 17 years, 2 months and 23 days.
This may be rounded up kindly to 18 years, condoning the shortage
and without any kind of reduction due to excess furlough. This
will give me a pension of Rs 134-8-0.

I pray that my pension may be fixed kindly at Rs 142-8-0
giving me the full benefit, without any reduction for my excess
furlough taken, of my full service of 16 years and 4 days in the
Judicial Department and 3 years addition under Article 262,
M.S.R. as a Lawyer.

As I was retired in my 45th year, and I have a large family
I pray for this special act of grace and magnanimity.

I beg to remain, Dear Sir,
your most obedient servant,

A. S. Govindarajulu
Retd. Munsiff.



To

The Chief Secretary

to the Government of Mysore,

Bangalore.

From.

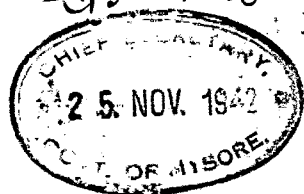
A. S. Govindarajulu

Retired Magistrate,

54-A, Seshadripuram (New Extension),

Malleswaram, Bangalore

Dear Sir,



I humbly pray that if my pension is modified it

may be kindly ordered to take effect from 5-11-1939, the
date of my retirement.

I submit as precedent the case of Mr. Ananda Rao,
retired Munsiff, Vide. G.O. 715 -16 -CB, 163, -36 -16 dated
September, 2nd, 1938.

Yours obediently,

A. S. Govindarajulu

B a n g a l o r e,

24th Novr. 1942 .

SR 258-42-2

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read:-

(1) Government Order No. Fl. 6221-3/S. & A. 515-39-2 dated 5th April 1940 sanctioning the payment of a compassionate pension of Rs.112-6-1 per mensem to Mr. A.S. Govindarajulu Mudaliar, Retired Munsiff with effect from 5th November 1939 in consideration of a qualifying service of 15 years 2 months and 25 days rendered by him.

(2) Representation of Mr. A.S. Govindarajulu Mudaliar dated 10th September 1942 praying for the grant ~~of~~ of an enhanced pension.

Order No. *Al* 3642-43

Dated, 2nd December 1942.

In modification of ~~order~~ ^{the Govt.} order dated 5th April 1940 read above, Government are pleased to sanction the payment of an arbitrary pension of Rupees One Hundred and forty two and annas eight ^{only} (Rs. 142-8-0) per mensem to Mr. A.S. Govindarajulu Mudaliar, Retired Munsiff, with effect from 5th November 1939, the amount of pension being debited to General Revenues.

GA *ASD* *12.42*
Secretary to Government,
~~Law Department.~~
Fl Dept

To

The Comptroller to Government.
The Registrar, High Court.

Cy/fjw- Mr. A.S. Govindarajulu Madaliar.